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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/926,384	10/23/2001	Suehiro Mizukawa	110-061	9837
23364	7590	08/14/2006	EXAMINER	
BACON & THOMAS, PLLC 625 SLATERS LANE FOURTH FLOOR ALEXANDRIA, VA 22314				PRONE, JASON D
ART UNIT		PAPER NUMBER		
		3724		

DATE MAILED: 08/14/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/926,384	MIZUKAWA, SUEHIRO	
	<b>Examiner</b>	<b>Art Unit</b>	
	Jason Prone	3724	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 09 June 2006.
- 2a) This action is **FINAL**.                            2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 6-8 and 11 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 11 is/are rejected.
- 7) Claim(s) 6-8 is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
  1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                    | Paper No(s)/Mail Date. _____.   |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____. | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
|   | 6) <input type="checkbox"/> Other: _____.                                   |

## DETAILED ACTION

### ***Claim Objections***

1. Claims 6 and 11 are objected to because of the following informalities: On line 16 of claim 6 and lines 16-17 of claim 11, with reference to the movable edge, the phrase “cooperates with said pair of front stationary edges to cut” is not accurate. The cutting is done by the movable edge and one of the front stationary members not both. Therefore, the phrase at issue should be replaced with “which cooperates with one of said front stationary edges to cut”.

On line 19 of claim 6 and lines 19-20 of claim 11, with reference to the other movable edge, the phrase “cooperates with said pair of rear stationary edges to cut” is not accurate. The cutting is done by the movable edge and one of the rear stationary members not both. Therefore, the phrase at issue should be replaced with “which cooperates with one of said rear stationary edges to cut”.

On lines 31-33, the phrase “and with said pair of front and rear movable edges on said left movable blade part cooperating with said miter – cutting front stationary edges to cut the blade material” should be deleted. This phrase creates an antecedent basis issue with the next paragraph starting on line 34 and makes that paragraph redundant.

On lines 36-37 of claim 11, the phrase “and with said front and rear movable edges cooperating with said straight – cutting stationary edge to cut the blade material” should be deleted. This phrase restates what the paragraph starting on line 29 states.

Appropriate correction is required.

***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claim 11 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

On line 15, claim 11 discloses "a movable edge which is disposed in said right movable blade part". On line 29 claim 11 discloses "a pair of front and rear movable edges in said right movable blade part". It is unclear if the front and rear movable edges, of line 29 are the same structure as the movable edge of line 15. As written, the right movable blade part incorporates 3 movable edges, however, the specification and the figure only provide support for 2 movable edges (front and rear). It is recommended that the paragraph spanning lines 15-17 be deleted to clear up this issue.

On line 18, claim 11 discloses "a movable edge which is disposed in said left movable blade part". On line 34 claim 11 discloses "a pair of front and rear movable edges in said left movable blade part". It is unclear if the front and rear movable edges, of line 34 are the same structure as the movable edge of line 18. As written, the left movable blade part incorporates 3 movable edges, however, the specification and the figure only provide support for 2 movable edges (front and rear). It is recommended that the paragraph spanning lines 18-20 be deleted to clear up this issue.

***Allowable Subject Matter***

4. Claims 6-8 would be allowable if rewritten or amended to overcome the objections, set forth in this Office action.
5. Claim 11 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph and the objections, set forth in this Office action.

***Response to Arguments***

6. Applicant's arguments filed 09 June 2006 have been fully considered but they are not persuasive. The claims still incorporate indefinite issues.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jason Prone whose telephone number is (571) 272-4513. The examiner can normally be reached on 7:00-4:30, Mon - (every other) Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Boyer D. Ashley can be reached on (571) 272-4502. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

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USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

August 08, 2006



Patent Examiner  
Jason Prone  
Art Unit 3724  
T.C. 3700